

**United States Department of Labor  
Employees' Compensation Appeals Board**

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**A.M., Appellant**

**and**

**U.S. POSTAL SERVICE, POST OFFICE,  
New Orleans, LA, Employer**

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**Docket No. 22-0095  
Issued: May 9, 2022**

*Appearances:*  
*Appellant, pro se*  
*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER REMANDING CASE**

Before:

ALEC J. KOROMILAS, Chief Judge  
PATRICIA H. FITZGERALD, Deputy Chief Judge  
JANICE B. ASKIN, Judge

On October 22, 2021 appellant filed a timely appeal from an October 6, 2021 nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as Docket No. 22-0095.

On April 17, 2020 appellant, then a 51-year-old mail carrier, filed an occupational disease claim (Form CA-2) alleging that she sustained a meniscus tear of the left knee due to the factors of her federal employment, including sorting, lifting, pushing, and pulling up to 70 pounds of mail. She noted that she first became aware of her condition and realized its relation to her federal employment on November 1, 2016. Appellant did not stop work. OWCP assigned the claim OWCP File No. xxxxxx903.<sup>1</sup>

By decision dated July 1, 2020, OWCP denied appellant's occupational disease claim, finding that the medical evidence of record was insufficient to establish that appellant's diagnosed meniscus tear of the left knee was causally related to the accepted factors of her federal employment.

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<sup>1</sup> The record reflects that appellant has a previously-accepted traumatic injury claim for an August 10, 2018 left knee contusion under OWCP File No. xxxxxx441.

On June 1, 2021 appellant requested reconsideration of OWCP's July 1, 2020 decision.

By decision dated October 6, 2021, OWCP denied appellant's request for reconsideration of the merits of her claim, finding that she neither raised substantive legal questions, nor submitted new and relevant evidence.

The Board, having duly considered this matter, finds that this case is not in posture for decision.

OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between case files.<sup>2</sup> For example, if a new injury case is reported for an employee who previously filed an injury claim for a similar condition or the same part of the body, doubling is required.<sup>3</sup> Herein, appellant has a previously accepted traumatic injury claim for a left knee contusion, assigned OWCP File No. xxxxxx441. She subsequently, in the present claim under OWCP File No. xxxxxx903, filed an occupational disease alleging that she developed a left knee condition due to the accepted factors of her federal employment. Appellant's files, however, have not been administratively combined.

For a full and fair adjudication, the case must be remanded to OWCP to administratively combine the current case record, OWCP File No. xxxxxx903, with OWCP File No. xxxxxx441, so it can consider all relevant claim files and accompanying evidence in adjudicating appellant's current occupational disease claim. Following this and other such further development as deemed necessary, OWCP shall issue an appropriate decision. Accordingly,

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<sup>2</sup> Federal (FECA) Procedure Manual, Part 2 -- Claims, *Doubling Case Files*, Chapter 2.400.8c (February 2000); *T.D.*, Docket No. 20-1119 (issued January 29, 2021); *R.R.*, Docket No. 19-0368 (issued November 26, 2019).

<sup>3</sup> *Id.*; *M.B.*, Docket No. 20-1175 (issued December 31, 2020); *L.M.*, Docket No. 19-1490 (issued January 29, 2020).

**IT IS HEREBY ORDERED THAT** the October 6, 2021 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded for further proceedings consistent with this order of the Board.

Issued: May 9, 2022  
Washington, DC

Alec J. Koromilas, Chief Judge  
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge  
Employees' Compensation Appeals Board

Janice B. Askin, Judge  
Employees' Compensation Appeals Board